

## Chapter 18

### LILLY SUBDIVISION SANITARY DISTRICT

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#### Sec. 18-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

*Application for service.* The making of a written request for water service within the district.

*Billing period.* The unit of time used to bill for service in each area in which the district provides service.

*Board.* The board of supervisors of the county.

*Cessation of service.* Termination of the water supply for nonpayment of delinquent accounts.

*Connection requirements.* The requirement of a separate connection for each dwelling unit or house unless the district shall authorize differently.

*Customer.* The person who has applied for water service at a premises.

*Delinquent account.* Any account not paid within twenty (20) days of billing date.

*Deposit.* The deposit required of new customers in advance of water service.

*Discontinuance of service.* The termination of water or sewer service for reasons other than nonpayment.

*District.* The Lilly Subdivision Sanitary District and employees thereof.

*Dwelling unit.* Each single-family residential dwelling and each single-family residential dwelling unit contained in an apartment building, in a duplex, in a residence which houses two (2) or more families, or in any building used for residential purposes.

*Facilities of the district.* Any and all components and pertinent parts of the entire system of the water facilities under the jurisdiction of the district, including those items presently constructed, installed, operated or maintained by the district or any which may be approved and accepted in the future as improvements, additions

or extensions of the system.

*Premise.* Any building, group of buildings or land upon which buildings are to be constructed which is or may be served by the facilities of the district.

*Reconnection.* Restoring of service to accounts where service has for some reason been discontinued.

*Service connection.* The pipe extending from a water main to the outlet side of the meter setting in the meter box at the property line, including the meter and meter box for water.  
(P.C. Ord. No. 01-15, 12-12-01)

## **Sec. 18-2. Schedule of fees, rates and charges.**

(a) *Monthly service charges.*

(1) *Water:*

Minimum bill: \$30.00 up to 4,000 gallons

\$10.00/1,000 gallons from 4,000 gallons to 8,000 gallons

\$15.00/1,000 gallons for usage over 8,000 gallons

(2) *Late payment:* All payments for service shall be due and payable within twenty (20) days of the billing date. Failure to pay for service by the due date shall result in a penalty of ten (10) per cent of the current amount due or five dollars (\$5.00) whichever is greater. In addition, interest shall commence on the date of the next monthly statement and shall accrue at the rate of one (1) per cent per month on the unpaid charges for service.

(b) *Deposit.* A deposit of fifty dollars (\$50.00) will be required for water service upon application by new customers. All deposits shall be paid when application is made. Deposits will be refunded after a period of one (1) year if customer pays bills in a timely manner.

(c) *Reconnection charge.* When it has been necessary to discontinue service to any premises because of a violation of this chapter or because of nonpayment of any bill, a charge of twenty-five dollars (\$25.00) will be made for resuming service. This charge together with any arrears that may be due the district must be paid before service will be resumed.

(P.C. Ord. No. 01-15, 12-12-01; P.C. Ord. No. 02-08, 9-11-02)

## **Sec. 18-3. Billing and lien for unpaid charges.**

(a) There shall be mailed monthly to each water customer a statement of the amount due for the preceding month, including delinquent bills, penalties or fees. Bills not paid within twenty (20) days after billing shall be considered delinquent and the service subject to discontinuance.

(b) When any water meter is determined to be registering improperly due to a malfunction, the

amount of the monthly bill shall be determined by averaging the monthly water consumption of the three (3) preceding months.

(c) There shall be a lien upon the real property on which the use of the services covered in this article was made for the amount of any fee or other charges by the district to the owner or lessee or tenant of any such real estate for the services provided by the district or in connection with such real estate from and after the time when such fees or charges are due and payable, and for the interest which may accrue thereon. Such liens are imposed pursuant to section 21-118.4(e) of the Code of Virginia, 1950, as amended.  
(P.C. Ord. No. 01-15, 12-12-01)

#### **Sec. 18-4. Discontinuance of service**

(a) The district may terminate water service if a customer is delinquent in payment. Notice of a delinquency shall be given the customer whose service is to be discontinued either by telephone, mail or in person by the district, and if the account is not paid within ten (10) days from such notice, the district may discontinue service.

(b) The district may discontinue water service without notice for the following reasons:

- (1) Willful or indifferent waste of water due to any cause;
- (2) Failure to protect and maintain the service pipe or fixtures on the property of the customer in a condition satisfactory to the district;
- (3) Molesting or tampering by the customer, or others with the knowledge of the customer, with any meter, connection, service pipe, curb stop, seal or any other appliance of the district controlling or regulating the customer's water supply;
- (4) Failure to provide the district's employees free and reasonable access to the premises supplied, or for obstructing the way of ingress to the meter or other appliances controlling or regulating the customer's water supply;
- (5) Violation of any rule or regulation of the district;
- (6) The repair of the district's facilities;
- (7) Insufficient supply of water or electricity;
- (8) At the request of the customer, due to temporary vacancy of the premises;

(c) Discontinuing the supply of water to a premises for any reason shall not prevent the district from pursuing any lawful remedy by action at law or otherwise for the collection of moneys due from the customer.

(d) When water service to a customer has been terminated for any of the above stated reasons, other than temporary vacancy of the premises, it will be renewed only after the conditions, circumstances or practices which caused the water service to be discontinued are corrected to the satisfaction of the district and upon

payment of all charges due and payable by the customer in accordance with this article.  
(P.C. Ord. No. 01-15, 12-12-01)

**Sec. 18-5. Complaint as to bill not ground for nonpayment.**

Complaint against a water bill shall not be proper excuse for refusal to pay such bill when due or exempt the complainant from the imposition of penalties for failure to pay such bill at the proper time.  
(P.C. Ord. No. 01-15, 12-12-01)

**Sec. 18-6. Rules for rendering of water service.**

(a) *Service connection.*

- (1) Before a water service connection is provided, the owner of the premises to be supplied, or his duly authorized representative, shall make application for service upon forms prescribed by the district. Upon approval of the application and payment of applicable charges, the district shall install the service connection. A separate service connection shall be required for each premises unless otherwise determined by the district.
- (2) The district will make or have made all connections to its mains and will specify the location, size, kind and quality of all materials entering into the service connection.
- (3) The service connection, including special connections for fire service or for service of a temporary nature, shall remain the property of the district and be under its sole control and jurisdiction and will be maintained by the district at its expense.

(b) *Customer's service lines.*

- (1) The service line which shall be installed between the meter and the place of consumption shall be furnished and installed by the customer at his expense and risk.
- (2) The customer's service line and all connections and fixtures attached thereto shall be subject to the inspection and approval of the district before service is commenced.
- (3) The customer's water service pipe shall be installed at least three (3) feet below the surface of the ground in a trench which shall be at least ten feet in a horizontal direction from any other trench wherein are installed gas pipe, sewer pipe, or other facilities, public or private, unless otherwise specifically authorized or approved by the district.
- (4) The customer shall install a stop and waste cock of a type approved by the building official on the water service pipe immediately inside the foundation wall of the building supplied, and so located as to be easily accessible to the occupants and to provide proper drainage for all of the pipe lines in the building.
- (5) No fixture shall be attached to, or any branch made in, the service pipe between the meter and the water main.

- (6) Any repairs, maintenance, replacement or relocation necessary on the customer's service pipe or fixtures in or upon the customer's premises shall be performed by the customer at his expense and risk.
- (c) *Cross-connection and back siphonage.*
  - (1) No pipe or fixtures connected with the mains of the district shall also be connected with pipes or fixtures supplied with water from any other source. This is a state law and severe penalties result in violation.
  - (2) Piping systems supplying swimming pools or tanks shall be so arranged as to prevent water from re-entering the water distribution system by siphonage or other means. An independent supply pipe shall be provided in such a way that its discharge end is at least two (2) diameters above the highest possible water level in the swimming pool or tank. All such installation shall be approved by the district.
  - (3) Pursuant to the requirement of the state department of health that a cross-connection control and back flow prevention program be established and enforced, the district will make periodic inspections and make recommendations to eliminate the possibility of contaminating the water supply.
- (d) *Meters and meter installations.*
  - (1) The district shall determine the location, type and size of meter to be installed.
  - (2) Meters will be furnished, installed and removed by the district and shall remain its property.
  - (3) Unless otherwise determined by the district, each premises shall be supplied through a separate meter, or if necessary and at the option of the district, through a separate battery of meters. Where a battery of meters is installed, the registrations of such meters shall be combined for billing purposes and shall be subject to a minimum charge as negotiated between the district and the customer. Where, however, a premises is supplied through more than one (1) service line, unless otherwise provided in contracts entered into therefore, the registration of the meter installed on each such service shall be billed separately, subject to the minimum charge for each meter. Meters will be read to the nearest one hundred (100) gallons.
  - (4) Meters will be maintained by the district at its expense insofar as ordinary wear is concerned, but damage to any meter due to causes arising out of or caused by the customer's facilities, operations, negligence or carelessness shall be paid for by the customer, except, however, the district shall be responsible for damage to meters due to freezing in outside meter vaults.
  - (5) The customer shall promptly notify the district of any defect in or damage to the meter or its connection.
- (e) *Meter test and test fees.*

- (1) All meters will be accurately tested before installation. Meters will also be periodically tested in accordance with accepted practice. The district may at any time remove any meter for routine tests, repairs, or replacement.
- (2) The district shall upon written request of a customer, and if he so desires in his presence or that of his authorized representative, make without charge a test of the accuracy of the meter in use at his premises, and that the customer will agree to abide by the results of such test in the adjustment of disputed charges. A written report of the results of the test shall be furnished to the customer.
- (3) Whenever a test of a meter reveals it to have an average error above standards established by the American Water Works Association (AWWA), the district shall bill or refund to the customer, as the case may be, such percentage of the amount of bills, covering the consumption indicated by the meter for the previous six (6) months, as the meter was found to be in error at the time of test, unless it can be shown from the records of either party that the error found has existed for a greater or lesser period, in which case the adjustment shall cover such actual period.

(P.C. Ord. No. 01-15, 12-12-01)

#### **Sec. 18-7. Unauthorized opening or closing of fire plugs and valves.**

No person, without authority from the district, shall open, close or otherwise tamper with any valve, fireplug, gate or other equipment connected with or pertaining to the water system.

(P.C. Ord. No. 01-15, 12-12-01)

#### **Sec. 18-8. Penalty.**

A person found guilty of violating the provisions of this article shall be guilty of a misdemeanor, punishable by a fine of not more than two hundred fifty dollars (\$250.00). Each day that the violation continues shall be considered a separate violation.

(P.C. Ord. No. 01-15, 12-12-01)